



JFW

RCE 28001

PTO/SB/30(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/900,423

Filing Date July 6, 2001

First Named Inventor Sell et al.

Group Art Unit 2828

Examiner Name Vy, Hung T.

Attorney Docket No. 42P14874

### 1. Submission required under 37 C.F.R. § 1.114

a.  Previously submitted

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other \_\_\_\_\_

### 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c)  
for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. 02-2666

i.  RCE fee required under 37 C.F.R. § 1.17(e)

ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii.  Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action

iv.  Other \_\_\_\_\_

b.  Check in the amount of \$ 770.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Cory G. Claassen

Registration No. (Attorney/Agent) 50,296

Signature

Date April 21, 2004

00000067 0990423  
04/27/2004 WASFHW1  
01 FC:1801

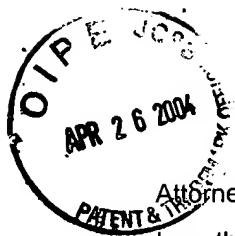
### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: April 21, 2004

Name (Print/Type) Yuko Tanaka

Signature

Date April 21, 2004



Attorney's Docket No.: 42P14874

Patent

In re the Application of: Sell et al. (inventor(s))

Application No.: 09/900,423

Filed: July 6, 2001

For: HERMETICALLY SEALED EXTERNAL CAVITY LASER SYSTEM AND METHOD (title)

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR: Transmitted herewith is a Response and Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	* 32	Minus	** 38	0	X9	\$
Indep. Claims	* 4	Minus	*** 4	0	X42	\$
<b>First Presentation of Multiple Dependent Claim(s)</b>					+140	\$
					Total Add. Fee	\$ 0
						Total Add. Fee

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop RCE, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450

on April 21, 2004  
Date of Deposit

Yuko Tanaka  
Name of Person Mailing Correspondence

Y. Tanaka  
Signature

April 21, 2004  
Date

A check in the amount of \$ \_\_\_\_\_ is attached for presentation of additional claim(s).  
 Applicant(s) hereby Petition(s) for an Extension of Time of \_\_\_\_\_ month(s) pursuant to 37 C.F.R. § 1.136(a).  
 A check for \$ \_\_\_\_\_ is attached for processing fees under 37 C.F.R. § 1.17. Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.  
**A duplicate copy of this sheet is enclosed.**  
 The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (**a duplicate copy of this sheet is enclosed**):  
 X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.  
 X Any extension or petition fees under 37 C.F.R. § 1.17.

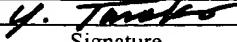
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: April 21, 2004

  
\_\_\_\_\_  
Cory G. Claassen  
Attorney for Applicant(s)  
Reg. No. 50,296

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(206) 292-8600



<b>FIRST CLASS CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
April 21, 2004	Yuko Tanaka		April 21, 2004
Date Mailed	Name	Signature	Date

Attorney Docket No.: 42P14874

*Patent*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Sell et al. ) Examiner: Vy, Hung T.  
Application No.: 09/900,423 ) Art Unit: 2828  
Filed: July 6, 2001 )  
For: HERMETICALLY SEALED EXTERNAL )  
CAVITY LASER SYSTEM AND METHOD )  
\_\_\_\_\_  
)

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE AND AMENDMENT**

Sir/Madam:

In response to the Office Action mailed February 25, 2004, Applicants respectfully request the Examiner to enter the following amendments and consider the following remarks. Submitted herewith is a Requested for Continued Examination.